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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

E-FILED - 5/25/06

UNITED STATES OF AMERICA,)	No. CR 06-00246-RMW
)	
Plaintiff,)	STIPULATION REGARDING
)	EXCLUDABLE TIME AND
v.)	ORDER
)	
RAY MORADA,)	
a/k/a rc51,)	
)	
Defendant.)	

It is hereby stipulated and agreed between defendant Ray Morada, and his counsel Peter Leeming, and the United States as follows:

This matter was set for a status conference on May 22, 2006 at 9:00 a.m. In this copyright infringement case, the defense needs more time to prepare, review discovery previously provided, including a substantial amount of digital evidence, and research legal and sentencing issues. The parties have also been discussing plea and sentencing issues. The defendant was only recently arraigned on this case on May 12, 2006. It is reasonable for the defense to have additional time to review the discovery, which includes some digital evidence.

1 The parties stipulate and move the Court to exclude time under the Speedy Trial Act from the
2 May 22, 2006, until June 19, 2006, because the parties believe that the ends of justice served by
3 the granting of such a continuance outweigh the best interests of the public and the defendant in a
4 speedy trial, particularly since reasonable time is needed for the defense to prepare for pretrial
5 and trial matters, pursuant to 18 U.S.C. §§ 3161(h)(8)(A), 3161(h)(8)(B)(ii). The parties further
6 stipulate that time may be excluded for reasonable time for defense preparation, since the failure
7 to exclude time would deny counsel for the defendant reasonable time necessary for effective
8 preparation, taking into account the exercise of due diligence, and for continuity of counsel,
9 pursuant to 18 U.S.C. §§ 3161(h)(8)(A), 3161(h)(8)(B)(iv).

10 So stipulated.

11 Dated: May __, 2006

KEVIN V. RYAN
United States Attorney

12
13 /S/
14 MARK L. KROTOSKI
Assistant United States Attorney

15 So stipulated.

16 Dated: May __, 2006

17 PETER LEEMING
18 Attorney for Defendant Morada
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ORDER

Based upon the foregoing Stipulation and good cause appearing therefor,

IT IS HEREBY ORDERED that the status conference set for May 22, 2006 at 9:00 a.m. for defendant Morada shall be continued to June 19, 2006 at 9:00 a.m.

IT IS FURTHER ORDERED that the time between May 22, 2006, until June 19, 2006 shall be excluded from the computation period within which the trial must commence, for the reasons and based upon the statutory provisions set forth by the parties in this Stipulation, including that time is needed for effective defense preparation.. The Court finds that the ends of justice outweigh the interests of the public and the parties in a speedier trial under 18 U.S.C. §§ 3161(h)(8)(A), 3161(h)(8)(B)(ii) (complexity), 3161(h)(8)(B)(iv) (reasonable time necessary for effective preparation taking into account the exercise of due diligence).

DATED: May 25, 2006

/S/ RONALD M. WHYTE

RONALD M. WHYTE
United States District Judge